

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IAN BARNHART, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

DAVID GLADIEUX,

Defendant.

CAUSE NO. 1:17-CV-124 DRL

ORDER

On March 19, 2021, Ian Barnhart, individually and on behalf of all others similarly situated, filed another motion seeking to continue the trial, or in the alternative, to replace the class representative and change the trial location to Fort Wayne, Indiana. David Gladieux takes no position on this request and indicated that he would not file an objection.

Mr. Barnhart filed the motion because he will be on spring break during the week of trial, and this was unknown to his counsel until March 18, 2021. Mr. Barnhart's vacation has been planned since October 26, 2020, and the court set the trial date on December 10, 2020. It is unknown why this wasn't raised earlier as an issue.

Notwithstanding this, the court GRANTS the request to continue the trial, but only in light of another trial scheduled behind this one that seems will go (ECF 108). The court DENIES Mr. Barnhart's request to replace the class representative and to change the trial location to Fort Wayne, Indiana (ECF 108). Accordingly, the court RESETS the 4-day jury trial to begin on May 17, 2021 at 9:30 a.m. in the third-floor courtroom in South Bend, Indiana. The final pretrial conference remains set for March 24, 2021 at 3:00 p.m. in South Bend, as communicated already to the parties.

SO ORDERED.

March 24, 2021

s/ Damon R. Leichty

Judge, United States District Court